

**STINSON LLP**

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*Attorneys for i360, LLC*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ATLAS DATA PRIVACY CORPORATION, )  
as assignee, JANE DOE-1, a law enforcement )  
officer, JANE DOE-2, a law enforcement )  
officer, EDWIN MALDONADO, SCOTT )  
MALONEY, JUSTYNA MALONEY, )  
PATRICK COLLIGAN, PETER )  
ANDREYEV, and WILLIAM SULLIVAN, )

Plaintiffs,

) Civil Action No.: 3:24-cv-04345

V.

i360, LLC, RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

**) APPLICATION FOR EXTENSION  
) OF TIME PURSUANT TO LOCAL  
) CIVIL RULE 6.1(b)**

Defendants.

COMES NOW Defendant i360, LLC ("Defendant"), by and through its undersigned counsel, and pursuant to L.Civ.R. 6.1(b) applies to the Clerk of Court for an order extending Defendant's time to answer, move to dismiss, or otherwise respond to the Complaint filed by Plaintiffs Atlas Data Privacy Corporation, *et al.* (collectively, "Plaintiffs") and which Defendant removed to this Court on March 28, 2024. Plaintiffs consent to the requested extension. In further support, Defendant states as follows:

1. Plaintiffs filed their Complaint on February 8, 2024 in the Superior Court in and for Mercer County, New Jersey. (Doc. 1, ¶ 1). Plaintiffs served Defendant with the Summons and Complaint on February 27, 2024. (Doc. 1, ¶ 6).

2. On March 28, 2024, Defendant timely filed a Notice of Removal to this Court pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. (Doc. 1, *passim*). Defendant filed its Notice of Removal within thirty (30) days of its receipt, "through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based." *See* 28 U.S.C. § 1446(b).

3. Defendant did not answer, move to dismiss, or otherwise respond to the Complaint while this action was pending in Mercer County. Pursuant to FED. R. CIV. P. 81(c)(2)(C), Defendant must respond to the Complaint within seven (7) "days after the notice of removal is filed," which deadline is April 4, 2024 (*i.e.*, seven (7) days after March 28, 2024).

4. L.Civ.R. 6.1(b) states, in pertinent part: "The time within which to answer or reply to any pleadings as to which a responsive pleading is permitted may, before the expiration of the original deadline to answer or reply thereto, and with or without notice, be extended once for a period not to exceed 14 days on order granted by the Clerk." Requests for extension must be in writing, made prior to expiration of the original deadline, disclose the date of service, and any similar extensions previously obtained. *See* L.Civ.R. 6.1(a)(1)-(3).

5. Pursuant to L.Civ.R. 6.1(b), Defendant requests that the Clerk of Court enter a fourteen (14) day extension of time – from April 4, 2024 through and including **April 18, 2024** – in which it may answer, move to dismiss, or otherwise respond to Plaintiffs' Complaint. Defendant states and avers that it has not previously requested or obtained any prior requests for extension of time to respond to Plaintiffs' Complaint.

6. Defendant's counsel has conferred with Plaintiffs' counsel regarding this request. Plaintiffs consent to the extension of time requested herein.

WHEREFORE, pursuant to L.Civ.R. 6.1(b), Defendant requests that the Clerk of Court grant this application and extend Defendant's time to answer, move to dismiss, or otherwise respond to the Complaint, through and including April 18, 2024. Defendant submits a proposed order concurrent with the filing of this application.

Dated: April 1, 2024

Respectfully submitted,

/s/ Richard J.L. Lomuscio

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Plaintiffs,

v.

i360, LLC, RICHARD ROES 1-10, *fictitious* )  
*names of unknown individuals* and ABC )  
COMPANIES 1-10, *fictitious names of* )  
*unknown entities*, )

Defendants. )

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**ORDER**

The application of Defendant i360, LLC ("Defendant") for an extension of time to answer, move to dismiss, or otherwise respond to Plaintiffs' Complaint is **GRANTED**. Pursuant to L.Civ.R. 6.1(b), Defendant's time to answer, move to dismiss, or otherwise respond to Plaintiffs' Complaint is extended by fourteen (14) days, through and including April 18, 2024.

MELISSA E. RHOADS, Clerk

ORDER DATED \_\_\_\_\_

By: \_\_\_\_\_  
Deputy Clerk

**CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 2024, a true and correct copy of Defendant's *Application for Extension of Time Pursuant to Local Civil Rule 6.1(b)* was electronically filed with the Clerk of the District Court via the Court's CM/ECF system, which sent notice of electronic filing to all counsel of record.

Dated: April 1, 2024

/s/ Richard J.L. Lomuscio

Richard J.L. Lomuscio